MEMO – Notice of Brownfields Property – Survey Plat Requirements

Check List for Brownfields Property Survey Plat

In accordance with N.C.G.S. 130A-310.35, a survey plat of areas designated by the Department of Environment and Natural Resources (DENR) as a brownfields Property must be included with the Notice of Brownfields Property which is required to be filed in the register of deeds' office in the county or counties in which the brownfields Property is located. Prospective Developer must submit a draft of the plat to DENR for review, and because the plat is included with the project information made available for public review during the required public comment period, the draft plat must be deemed "approvable" by DENR before public comment can commence. The requirements of the brownfields survey plat follow:

_____1. The plat must meet the requirements of N.C.G.S. 47-30, and thus must be prepared and certified by a North Carolina registered land surveyor. Check with your county Register of Deeds office for their size restrictions before finalizing the Brownfields Survey Plat as the maximum size of the plat map they will accept varies by county. A link to the plat size information is http://ncinfo.iog.unc.edu/organizations/regdeeds/platreq.htm;

_____2. The words, **EXHIBIT B to the Notice of Brownfields Property – SURVEY PLAT** must appear in the plat's title block; The current owner's name and the name of the Prospective Developer (if different), appropriately labeled, must also appear in the title block along with location information [Address(es) and Tax PIN(s) if available.]

_____3. The plat must contain clearly demarcated boundaries of the brownfields Property, north arrow, scale, and bearings/distances must precisely match the legal description of the Property;

_____4. To the extent known, and with respect to permanently surveyed benchmarks, the plat must contain a graphic depiction of the location of areas of potential environmental concern on the brownfields Property. This can be accomplished by plotting the name and lateral position of locations where soil, groundwater, or surface water samples have been collected where analytical results of those samples indicate contaminant concentrations in excess of the remedial goals of the NC Superfund Section's Inactive Hazardous Sites Branch;

_____5. The plat must contain the following statement: "The areas and types of contamination depicted hereon are approximations derived from the best available information at the time of filing."

_____6. The plat must contain a table that provides the names of the contaminants known to exist at the site, the sample locations in which the contaminants were detected in concentrations exceeding said remedial goals, and the concentrations of contaminants detected at those sample locations;

_____7. The plat must contain a verbatim list of the Land Use Restrictions that are included in the Notice of Brownfields Property (NBP); and

_____8. Before the end of the public comment period, you must supply the Brownfields project manager with a mylar copy and an 8-1/2" x 11" reduced paper version of the approved BF plat (which will become Exhibit B to the NBP); and

_____9. The plat must contain the following approval/signature block for the Division of Waste Management Director's approval and signature.

_____ for the purposes of N.C.G.S. § 130A-310.35

_____ _____

Linda M. Culpepper, Deputy Director Date
Division of Waste Management
State of North Carolina
Wake County